

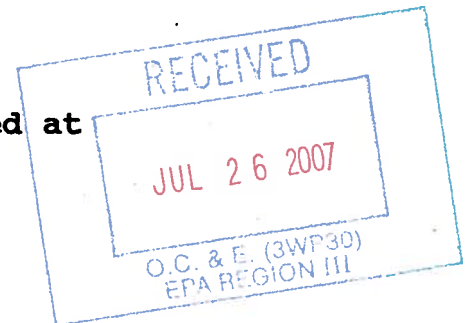
**AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
INDUSTRIAL PERMIT NO. DC0000159**

In compliance with the provisions of the Clean Water Act, as amended, 33 U.S.C. #1251 et seq. (the "Act"),

Naval District of Washington  
Anacostia Naval Station

is authorized to discharge from a facility located at

Washington Navy Yard  
Facilities Management Office  
Code 41, Bldg. 198  
8th & M Streets, SE  
Washington, DC 20374



to receiving waters named

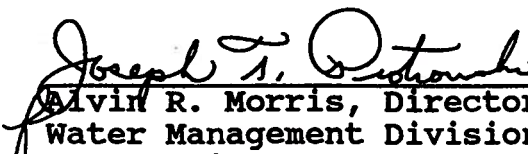
Anacostia River

in accordance with effluent limitations, monitoring requirements and other conditions set forth in parts I and II, III, and IV herein.

This permit shall become effective on **NOV 25 1992**

This permit and the authorization to discharge shall expire at 5 years from the date of issuance.

Signed this 25<sup>th</sup> day of 1992

  
Alvin R. Morris, Director  
Water Management Division  
U.S. Environmental Protection Agency  
Region III

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date, the permittee is authorized to discharge from Outfall(s) serial number(s) 010, 016, 017 (Storm drain pumping stations) and 018 (gravity storm drain).

Such discharges shall be limited and monitored by the permittee as specified below.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
	<u>1lb/day</u>		<u>Other units(mg/l)</u>		<u>Measurement</u>	<u>Sample</u>
	<u>Avg. Monthly</u>	<u>Max Daily</u>	<u>Avg. Monthly</u>	<u>Max. Daily</u>	<u>Frequency</u>	<u>Type</u>
				<u>mg/l</u>		
Flow-m <sup>3</sup> /day (mgd)	--	--	--	--	During Discharge	Estimate
Oil & Grease	--	--	10	15	During Discharge	Grab
Biomonitoring	For test procedure (See other requirements)				2/year	Grab

The pH shall not be less than 6.0 standard units nor greater than 8.5 standard units and shall be monitored at outfalls during discharge period.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples shall be taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): At all four outfalls.

**B. SCHEDULE OF COMPLIANCE**

The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

STANDARD CONDITIONS FOR NPDES PERMITS

SECTION A. GENERAL CONDITIONS

1. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

2. Penalties for Violations of Permit Conditions

The Clean Water Act provides that any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing sections 301, 302, 306, 307, or 308 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit.

4. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge;  
or
- d. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination.

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. When a permit is modified only conditions subject to modification are reopened.

5. Toxic Pollutants

Notwithstanding paragraph A-4, above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition and the permittee so notified.

The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

6. Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" Section B, Paragraph B-3 and "Upsets" Section B, Paragraph B-4, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

9. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

11. Transfer of Permit

In the event of any change in ownership or control of facilities from which the authorized discharge emanates, the permit may be transferred to another person if:

- a. The current permittee notifies the Director, in writing, of the proposed transfer at least 30 days in advance of the proposed transfer date;
- b. The notice includes a written agreement, between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
- c. The Director does not notify the current permittee and the new permittee of intent to modify, revoke and reissue, or terminate the permit and require that a new application be submitted.

12. Construction Authorizations

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

## SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

### 1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

### 2. Duty to Halt or Reduce Activity

Upon reduction, loss, or failure of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control production or all discharges or both until the facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced or lost. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

### 3. Bypass of Treatment Facilities

#### a. Definitions

- (1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
- (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

- b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs c and d of this section.

c. Notice

- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
- (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Section D, Paragraph D-6 (24-hour notice).

d. Prohibition of bypass.

- (1) Bypass is prohibited and the Director may take enforcement action against a permittee for bypass, unless:
  - (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
  - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
  - (c) The permittee submitted notices as required under paragraph c of this section.
- (2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph d(1) of this section.

4. Upset Conditions

- a. Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.



- b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of paragraph c of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - (1) An upset occurred and that the permittee can identify the specific cause(s) of the upset;
  - (2) The permitted facility was at the time being properly operated;
  - (3) The permittee submitted notice of the upset as required in Section D, Paragraph D-6; and
  - (4) The permittee complied with any remedial measures required under Section A, Paragraph A-3.
- d. Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

5. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters, except in accordance with applicable NPDES permit, the terms of which were determined based upon complete information from the permittee accounting for the flow and discharge of any of these collected pollutants.

## SECTION C. MONITORING AND RECORDS

### 1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit. Monitoring points shall not be changed without notification to and the approval of the Director.

### 2. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to insure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device.

### 3. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

### 4. Penalties for Tampering

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

### 5. Reporting of Monitoring Results

Monitoring results must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1). Monitoring results obtained during the previous 3 months shall be summarized for each month and reported on a DMR form postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on \_\_\_\_\_. Duplicate copies of DMR's signed and certified as required by Section D, Paragraph D-11, and all other reports required by Section D, Reporting Requirements, shall be submitted to the Regional Administrator and the State at the following addresses:

U.S. EPA Region III  
Water Management Division  
Permits Enforcement Branch  
841 Chestnut Bldg.  
Philadelphia, PA 19107

District of Columbia Government  
Environmental Regulation Administration  
Water Resources Management Division  
Suite 203  
2100 Martin Luther King Jr. Ave., SE  
Washington, DC 20020

6. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR) form. Such frequency shall also be indicated.

7. Retention of Records

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

8. Record Contents

Records of monitoring information shall include:

- a. The date, exact place, time and methods of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

9. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

10. Definitions

- a. The "daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.
- b. The "average monthly discharge limitation" means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
- c. The "average weekly discharge limitation" means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.
- d. The "maximum daily discharge limitation" means the highest allowable "daily discharge."
- e. Composite Sample - A combination of individual samples obtained at regular intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is proportional to the flow rates over the time period used to produce the composite.
- f. Grab Sample - An individual sample collected in less than 15 minutes.
- g. "i-s" (immersion stabilization) - a calibrated device is immersed in the effluent stream until the reading is stabilized.

- h. The "monthly average" temperature means the arithmetic mean of temperature measurements made on an hourly basis, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar month, or during the operating month if flows are of shorter duration.
- i. The "daily maximum" temperature means the highest arithmetic mean of the temperature observed for any two (2) consecutive hours during a 24-hour day, or during the operating day if flows are of shorter duration.
- j. "At outfall XXX" - A sample location before the effluent joins or is diluted by any other waste stream, body of water, or substance or as otherwise specified.
- k. Estimate - To be based on a technical evaluation of the sources contributing to the discharge including, but not limited to pump capabilities, water meters and batch discharge volumes
- l. Non-contact cooling water means the water that is contained in a leak-free system, i.e. no contact with any gas, liquid, or solid other than the container for transport; the water shall have no net poundage addition of any pollutant over intake water levels.

## SECTION D. REPORTING REQUIREMENTS

### 1. Planned Changes

The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility.

### 2. Anticipated noncompliance

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

### 3. Transfers

This permit is not transferable to any person except after notice to the Director as specified in Section A, Paragraph A-11. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

### 4. Monitoring Reports

Monitoring results shall be reported at the intervals and in the form specified in Section C, Paragraph C-5 (Monitoring).

### 5. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date. Any reports of noncompliance may include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

### 6. Twenty-Four Hour Reporting

The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

The following shall be included as information which must be reported within 24 hours:

- a. Any unanticipated bypass which exceeds any effluent limitation in the permit.
- b. Any upset which exceeds any effluent limitation in the permit.
- c. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in Part III of the permit.

The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours and the noncompliance does not endanger health or the environment.

7. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Section D, Paragraphs D-1, D-4, D-5, and D-6 at the time monitoring reports are submitted. The reports shall contain the information listed in Paragraph D-6.

8. Changes in Discharges of Toxic Substances

The permittee shall notify the Director as soon as it knows or has reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
  - (1) One hundred micrograms per liter (100 ug/l);
  - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
  - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application;
  - (4) The level established in Part III of the permit by the Director.
- b. That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

9. Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. In the event that a timely and complete reapplication has been submitted and the Director is unable, through no fault of the permittee, to issue a new permit before the expiration date of this permit, the terms and conditions of this permit are automatically continued and remain fully effective and enforceable.

11. Signatory Requirements

All applications, reports or information submitted to the Director shall be signed and certified as required by 40 C.F.R. § 122.6.

12. Availability of Reports

Unless a business confidentiality claim is asserted pursuant to 40 C.F.R. Part 2, all reports submitted in accordance with the terms of this permit shall be available for public inspection at the offices of the State water pollution control agency and the Regional Administrator. If a business confidentiality claim is asserted, the report will be disclosed only in accordance with the procedures in 40 C.F.R. Part 2. As required by the Act, permit applications, permits and effluent data shall not be considered confidential.



13. Penalties for Falsification of Reports

The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring report or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

14. Correction of Reports

If the permittee becomes aware that it submitted incorrect information in any report to the Director, it shall promptly submit the correct information.

OTHER REQUIREMENTS

- 1) pH requirements  
Ref: Federal Register - Volume 48, Number 108 - Friday June 4, 1982

The pH shall not be less than 6.0 standard units nor greater than 8.5 standard units and shall be monitored continuously and recorded with control within these limits maintained at least 99% of each month. The pH shall not be less than 3.5 standard units nor greater than 11.0 standards units for more than 15 minutes at a time (not to exceed 7.2 hour/month). There shall be no discharge of floating solids or visible foam in other than trace amounts. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): outfalls.

REF: Federal Register/Vol. 48, No. 108/Friday, June 4, 1982

- 2) Biomonitoring - Bioassay test to be performed semi-annually only on outfall 018. If the results of the bioassay test for the first year indicate no toxicity (100% survival), the frequency of the test will be reduced to 1/year and phased out with the expiration date of the permit.

BEST MANAGEMENT PRACTICES

SECTION A. GENERAL CONDITIONS

1. Applicability

These conditions apply to all permittees who use, manufacture, store, handle or discharge any pollutant listed as toxic under Section 307(a)(1) of the Clean Water Act or any pollutant listed as hazardous under Section 311 of the Act and who have ancillary manufacturing operations which could result in significant amounts of these pollutants reaching waters of the United States. These operations include material storage areas; plant site runoff; on-plant transfer, process and material handling areas; loading and unloading operations, and sludge and waste disposal areas.

2. BMP Plan

The permittee shall develop and implement a Best Management Practices (BMP) plan which prevents, or minimizes the potential for, the release of toxic substances from ancillary activities to the waters of the United States through plant site runoff; spillage or leaks; sludge or waste disposal; or drainage from raw material storage.

3. Implementation

The plan shall be implemented as soon as possible but not later than one year after the effective date of the permit.

4. General Requirements

The BMP plan shall:

- a. Be documented in narrative form, and shall include any necessary plot plans, drawings or maps.
- b. Establish specific objectives for the control of toxic and hazardous pollutants.
  - (1) Each facility component or system shall be examined for its potential for causing a release of significant amounts of toxic or hazardous pollutants to waters of the United States due to equipment failure, improper operation, natural phenomena such as rain or snowfall, etc.

- (2) Where experience indicates a reasonable potential for equipment failure (e.g., a tank overflow or leakage), natural condition (e.g. precipitation), or other circumstances to result in significant amounts of toxic or hazardous pollutants reaching surface waters, the plan should include a prediction of the direction, rate of flow and total quantity of toxic or hazardous pollutants which could be discharged from the facility as a result of each condition or circumstance.
- c. Establish specific best management practices to meet the objectives identified under paragraph b of this section, addressing each component or system capable of causing a release of significant amounts of toxic or hazardous pollutants to the waters of the United States.
- d. Include any special conditions established in Part B of this section.
- e. Be reviewed by plant engineering staff and the plant manager.

#### 5. Specific Requirements

The plan shall be consistent with the general guidance contained in the publication entitled "NPDES Best Management Practices Guidance Document" and shall include the following base line BMP's as a minimum:

- a. BMP Committee
- b. Reporting of BMP Incidents
- c. Risk Identification and Assessment
- d. Employee Training
- e. Inspections and Records
- f. Preventive Maintenance
- g. Good Housekeeping
- h. Materials Compatibility
- i. Security
- j. Materials Inventory

#### 6. SPCC Plans

The BMP plan may reflect requirements for Spill Prevention Control and Countermeasure (SPCC) plans under section 311 of the Act and 40 CFR Part 151, and may incorporate any part of such plans into the BMP plan by reference.

7. Hazardous Waste Management

The permittee shall assure the proper management of solid and hazardous waste in accordance with regulations promulgated under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1978 (RCRA) (40 U.S.C. 6901 et seq). Management practices required under RCRA regulations shall be referenced in the BMP plan.

8. Documentation

The permittee shall maintain a description of the BMP plan at the facility and shall make the plan available to the Director upon request.

9. BMP Plan Modification

The permittee shall amend the BMP plan whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of hazardous or toxic pollutants.

10. Modification for Ineffectiveness

If the BMP plan proves to be ineffective in achieving the general objective of preventing the release of significant amounts of toxic or hazardous pollutants to surface waters and the specific objectives and requirements under paragraphs b and c of Section 4, the permit and/or the BMP plan shall be subject to modification to incorporate revised BMP requirements.

SECTION B. SPECIFIC CONDITIONS

